

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERTO ARROYO-MARTINEZ,

Defendant.

Case No. 18-CR-27-3-JPS

**ORDER**

On February 13, 2018, the grand jury returned an Indictment, charging Defendant in one of six counts. (Docket #6). The government charged Defendant with being an unlawful alien in possession of a firearm, in violation of 18 U.S.C. §§ 922(g)(5) & 924(a)(2). *Id.* On October 19, 2018, the government filed an Information charging Defendant with misprision of a felony, in violation of 18 U.S.C. § 4. (Docket #77). That same day, the parties filed a plea agreement indicating that Defendant agreed to plead guilty to one count of misprision of a felony, in violation of 18 U.S.C. § 4. (Docket #76).

The parties appeared before Magistrate Judge William E. Duffin on November 9, 2018 to conduct a plea colloquy pursuant to Federal Rule of Criminal Procedure 11. (Docket #90). Defendant entered a plea of guilty as to misprision of a felony. *Id.* After cautioning and examining Defendant under oath concerning each of the subjects mentioned in Rule 11, Magistrate Duffin determined that the guilty plea was knowing and voluntary, and that the offense charged was supported by an independent

factual basis containing each of the essential elements of the offense. (Docket #92 at 1).

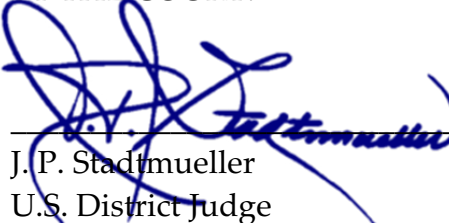
That same day, Magistrate Duffin filed a Report and Recommendation with this Court, recommending that: (1) Defendant's pleas of guilty be accepted; (2) a presentence investigation report be prepared; and (3) Defendant be adjudicated guilty and have a sentence imposed accordingly. *Id.* at 2. Pursuant to General Local Rule 72(c), 28 U.S.C. § 636(b)(1)(B), and Federal Rule of Criminal Procedure 59(b), the parties were advised that written objections to that recommendation, or any part thereof, could be filed within fourteen days of the date of service of the recommendation. *Id.* To date, no party has filed such an objection. The Court has considered Magistrate Duffin's recommendation and, having received no objection thereto, will adopt it.

Accordingly,

**IT IS ORDERED** that Magistrate Judge William E. Duffin's Report and Recommendation (Docket #92) be and the same is hereby **ADOPTED**.

Dated at Milwaukee, Wisconsin, this 4th day of December, 2018.

BY THE COURT:



J. P. Stadtmueller  
U.S. District Judge